



**APPROVED OCTOBER 11, 2005**

**CITY OF SCOTTSDALE HOUSING BOARD  
REGULAR MEETING  
ONE CIVIC CENTER  
3RD FLOOR CONFERENCE ROOM  
7447 EAST INDIAN SCHOOL ROAD  
SCOTTSDALE, ARIZONA  
SEPTEMBER 13, 2005**

**PRESENT:** Del-Monte Edwards, Chairman  
Joe Priniski, Vice-Chairman  
George Leonard, Board Member  
Gary Morgan, Board Member  
George Sutherland, Board Member (arrived at 5:43 p.m.)

**STAFF PRESENT:** Molly Edwards  
Mark Bethel  
Donna Bronski  
Diane Kallal  
Kira Wauwie

1. **CALL TO ORDER/ROLL CALL**

The regular meeting of the Scottsdale Housing Board was called to order by Chairman Edwards at 5:11 p.m. A formal roll call confirmed the members present as stated above.

2. **REVIEW AND APPROVAL OF PREVIOUS OF MINUTES**

July 12, 2005 Housing Board Meeting

**BOARD MEMBER LEONARD MOVED TO APPROVE THE MINUTES OF THE JULY 12, 2005 MEETING. SECONDED BY BOARD MEMBER MORGAN. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 4 (FOUR) TO 0 (ZERO).**

May 26, 2005 Joint Human Services and Housing Board

**BOARD MEMBER LEONARD MOVED THAT THE MINUTES OF THE MAY 26, 2005 JOINT MEETING WITH HUMAN SERVICES BE APPROVED. THE MOTION WAS SECONDED BY VICE-CHAIRMAN PRINISKI AND CARRIED UNANIMOUSLY BY A VOTE OF 4 (FOUR) TO 0 (ZERO).**

3. **HOUSING BOARD RETREAT - AGENDA**

Ms. Edwards addressed the Board about the upcoming retreat, noting that this will provide an opportunity to decide on the direction the Board wants to take over the next year. She cautioned the Board against having an overly aggressive retreat schedule. If the schedule for the year becomes too heavy, it is hard to measure accomplishments. She suggested that the Board focus on one or two topics that they feel are extremely important.

After discussion, the Board selected Thursday, October 27th, from noon to 5:00, as the date and time for the 2005 retreat.

Chairman Edwards noted that it would be helpful if Board Members would send in their ideas a couple of weeks in advance of the retreat. He suggested that the goal should be to find possibly three major things to accomplish, rather than spreading themselves too thin.

A discussion ensued on the format of the retreat. Ms. Edwards encouraged the Board to narrow their focus down to just two primary topics and noted that Council has expressed an interest in workforce housing. The City Council strategic planning session is open to the public. Ms. Edwards undertook to provide copies of the notes from Council's strategic planning session for Board Member review at the retreat, adding that she felt a facilitator is not needed for this year's retreat.

Upon inquiry by Ms. Edwards, Chairman Edwards confirmed that the Board's February meeting will stand.

4. **RESIDENTIAL REINVESTMENT WORKING GROUP**

Ms. Wauwie addressed the Board. The Planning Department is working to update the zoning ordinance in order to promote residential reinvestment. Ms. Wauwie expressed desire for a volunteer from the Housing Board to serve on the working group. Board Member Morgan volunteered, noting that he had attended previous meetings.

5. **CONDO CONVERSION UPDATE**

Board Member Leonard presented a draft of a report containing information gathered by the subcommittee. The subcommittee found that there is no formal database that tracks the number of condo conversions. This makes it difficult to measure the extent of the problem.

The subcommittee had looked at the Building Code and affordability issues, and recommended that the City should address the following issues with regard to condo conversions:

- o City staff should be directed to develop and maintain a database.
- o Ordinances and City codes that control condominium conversion should go beyond what appears to be a mapping process.
- o The City should address health and safety issues and there should be an inspection procedure when owners apply for condo conversions.

Chairman Edwards noted that HUD requires some notices if public money is involved. Board Member Leonard said that they are not trying to create a bureaucratic process.

Ms. Edwards commended the members of the subcommittee who had invested a great deal of time and effort over the summer to come up with the recommendations. She noted that she receives two or three phone calls each week from people who are being displaced by the conversion process and explained that often residents are given notice and construction starts almost immediately.

Ms. Bronski remarked that this process would be governed by the terms of tenants lease documents. Even on a month-to-month lease, tenants have an implied right of quiet enjoyment.

Mr. Bethel reported that the Board had requested a list of condo conversions affecting the Section 8 program in June. His Department has a tenant outreach staff member who ensures that the requirements of the Landlord-Tenant Act are being met. Mr. Bethel presented the Board with a list of five properties in Scottsdale where the Section 8 program has been affected by condo conversion.

Board Member Leonard noted that difficult issues are raised. The subcommittee found that laws vary in different states and cities.

Ms. Edwards remarked that her office deals with tenants, many of whom are unable to afford to buy a home, even with existing programs. As condominium conversions reduce the rental housing supply, rents increase.

A discussion ensued regarding the feasibility of establishing requirements on properties that are converting to condominiums that would require some units to be affordable. Chairman Edwards suggested that it may be possible to leverage projects that have public funding. He added that the Board needs to be creative in encouraging developers to include affordable housing in their projects.

Chairman Edwards mentioned that he and Board Member Sutherland are aware of another condo conversion project in south Scottsdale that will further reduce the affordable housing supply. Because this apartment complex is not subsidized, the City is not tracking it.

Chairman Edwards thanked the subcommittee for the hard work that they had done. He added that the City needs to think outside the box to retain affordable housing for the community. Ms. Edwards recommended that this discussion be continued as part of the retreat.

6. **REVIEW OF HOUSING BOARD BY-LAWS**

Chairman Edwards requested an update from Ms. Edwards as to where this topic currently stands. Ms. Edwards had provided the most recent copy of the By-laws to the Board Members.

Chairman Edwards asked Ms. Bronski for the definition of a "public body." Ms. Bronski explained that a public body is defined under State Law as either a governmental subdivision of the State or boards and commissions that are appointed by those governmental bodies.

Chairman Edwards asked about paragraph D, conclusion, on page 3, noting that the last sentence says: "The fact that a committee consists in whole or in part of persons who are not members of the public body does not affect its status as a public body subject to the Open Meeting Law." Before that, it says: "A special or standing committee may consist of members of the public body who have been appointed by or authorized to act as a public body." He noted that Board Member Williams had previously asked if a committee could be set up with people who were not members of the Housing Board.

Ms. Bronski replied that there are real difficulties in doing so under the State law and it would be her recommendation not to appoint a committee with members who were not on the Housing Board. She stated that non-board members can be invited to participate and make presentations at meetings, but should not be official committee member.

Board Member Morgan noted some clerical errors, which Ms. Edwards took note of. Board Member Morgan asked Ms. Bronski to explain why the provision regarding order of business was being deleted.

Ms. Bronski explained that under the Open Meeting Law, the agenda needs to be specific. A discussion ensued on how Board Members can have items placed on the agenda of a future meeting. Chairman Edwards noted that: "Future Agenda Items" will be placed on the agenda after "Staff Report."

**BOARD MEMBER MORGAN MADE A MOTION TO APPROVE THE BY-LAWS AS STATED HERE WITH THE CHANGES DISCUSSED AT THIS MEETING. VICE-CHAIRMAN PRINISKI SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY BY A VOTE OF 5 (FIVE) TO 0 (ZERO).**

7. **REVIEW OF CALENDAR AND STRATEGY FOR UPCOMING YEAR**

Chairman Edwards indicated the Board would have a discussion about its role with regard to its involvement with the Human Services Commission. He had asked Ms. Edwards to research prior meetings to get a sense of where the Board thought it was going and based upon Ms. Edwards research, it is apparent that

the matter had never really been brought to closure. A motion had been made at the previous meeting, but was not voted on. Chairman Edwards stated that the matter needed to be brought to closure and he would be requesting input from each of the Board Members.

Chairman Edwards opined that the real issue is that there was some feelings about staying attached to the Human Services Commission.

A discussion ensued regarding the context of the motion made at the last meeting. Vice-Chairman Priniski confirmed that the motion he made at the last meeting was with the intent of the matter being brought back for the Board's decision on how to proceed.

In response to inquiry by Board Member Morgan, Ms. Bronski confirmed that there is nothing incorrect or invalid about the motion and the Board was certainly in order to discuss the issue and make a decision.

Chairman Edwards opined that the Housing Board and the Human Services Commission need to stay in touch, noting that the question is, how to do it. Board Member Morgan said he felt the Board could still stay involved, but some things could be streamlined. Staff did an excellent job on presenting the funding applications in an easily understood format. Part of the problem had been that they held joint meetings which contained agenda items that the Board had no interest or involvement in. If the joint meetings could be streamlined so that this was avoided, it would save time. He found the meetings helpful.

Board Member Leonard agreed, stating that perhaps the agenda of the Commission could be written such that matters concerning the Housing Board would be considered at one time. He expressed difficulty with the Human Services Commission requirement that Housing Board Members who want to be involved must attend every single Commission meeting.

Mr. Bethel explained that the Human Relations Commission is involved in a procurement process, which he outlined. He presented a schedule of meetings to the Board and outlined the calendar.

Vice-Chairman Priniski said that the Board needs to reach a decision. Whether the Board participates on a funding cycle or not, there is a need for collaboration.

Board Member Morgan opined that the Board should be involved with the applications, at least in the upcoming year.

Board Member Sutherland said he believes that the Board's time will be spent on the issue of condo conversions.

Board Member Leonard opined that being involved in the Human Services Commission as well as the Board would be very time-consuming.

Chairman Edwards said he agreed with Vice-Chairman Priniski; it is not possible to be partly involved. He further stated that it would be disruptive to the Human

Services Commission to try and pull out and not take part in the funding decisions.

Ms. Edwards outlined the options before the Board:

- o The Board could completely follow the process through.
- o One Board member can participate in the Commission's deliberations so that they can get that person's input and then vote.
- o The Board could have no involvement at all in the Human Services Commission.

**BOARD MEMBER SUTHERLAND MADE A MOTION TO VOTE ON THE THREE OPTIONS. BOARD MEMBER LEONARD SECONDED THE MOTION, WHICH WAS CARRIED UNANIMOUSLY BY A VOTE OF 5 (FIVE) TO 0 (ZERO).**

A discussion ensued regarding how the vote should be conducted. Ms. Bronski recommended that each person vote for one of the options.

**BOARD MEMBER SUTHERLAND WITHDREW THE MOTION ON THE TABLE AND BOARD MEMBER LEONARD WITHDREW THE SECOND.**

**BOARD MEMBER LEONARD MOVED THAT THE HOUSING BOARD PARTICIPATE IN THE GRANTING OF THE MONIES THROUGH ONE OR TWO REPRESENTATIVES, DESIGNATED BY THE CHAIRMAN OF THE HOUSING BOARD, ATTENDING ALL OF THE MEETINGS OF THE HUMAN SERVICES COMMISSION. VICE-CHAIRMAN PRINISKI SECONDED THE MOTION.**

A discussion ensued. Chairman Edwards asked how information from the Human Services Commission would be shared with the Housing Board. Mr. Bethel replied that the applications are public information.

Chairman Edwards asked what the situation would be if the Housing Board had two people going and one missed a meeting. Mr. Bethel said that if a person misses a meeting, that person can no longer participate in the process.

Upon further discussion, Chairman Edwards asked Board Member Leonard to withdraw the motion.

**BOARD MEMBER LEONARD WITHDREW THE MOTION ON THE TABLE AND VICE-CHAIRMAN PRINISKI WITHDREW SECOND.**

Chairman Edwards said he sensed that the Board did not want to let go of the relationship with Human Services but was trying to figure out a way to minimize the relationship. He suggested that for the coming year the Board should participate in the same way as they had last year, and then re-assess.

**BOARD MEMBER MORGAN MOVED THAT THE HOUSING BOARD PARTICIPATE ON THE SAME LEVEL THAT IT PARTICIPATED WITH THE HUMAN SERVICES COMMISSION IN THEIR JOINT MEETINGS FOR THEIR FUNDING PROCESS.**

Ms. Bronski requested that the meaning of the motion be clarified, whereupon Mr. Bethel explained the previous year's process:

The Human Services Commission and the Housing Board reviewed all housing-related CDBG proposals and all home partnership investment program proposals. Last September there was a joint mission meeting to finalize agreement on the process. Members of the Housing Board were presented with binders containing those proposals at their meeting on the second Tuesday in January. On the last Thursday in January, they participated in a joint meeting with the Human Services Commission to review all of the proposals. In early February the Human Services Commission and the Housing Board jointly heard all the proposals, approximately 25 presentations by non-profit organizations. At its regular Tuesday meeting, the Housing Board deliberated and made a Housing Board recommendation. An additional joint meeting was held on the last Thursday in February to reach a consensus regarding recommendations to be made to Council.

Board Member Sutherland noted that this was a question of time that could not be spent on other Housing Board business.

**THE MOTION FAILED FOR LACK OF A SECOND.**

Board Member Leonard suggested that the Board could formulate a position on the various issues to be voted on by the Human Services Commission and make a recommendation to them, either through public testimony at one of their meetings or through a letter from the Housing Board.

Chairman Edwards asked Mr. Bethel if that suggestion was similar to what had been done the year before last.

Mr. Bethel recalled that the first arrangement he was aware of was that the Housing Board voted on one of its members to sit in on the applications process with the Human Services and report back to the Housing Board. This arrangement remained in place through the 90's, until 2001.

During the 2002/2003 funding year, the Housing Board solely heard housing-related applications. This arrangement lasted for two years, followed by the current process of joint meetings with the Human Services Commission.

Upon further discussion, Chairman Edwards volunteered to represent the Housing Board and attend the meetings with the Human Services Commission. Board Member Morgan also volunteered.

**BOARD MEMBER SUTHERLAND MADE A MOTION THAT TWO REPRESENTATIVES FROM THE HOUSING BOARD PARTICIPATE IN THE PROCESS WITH THE HUMAN SERVICES COMMISSION. BOARD MEMBER**

**LEONARD SECONDED THE MOTION. THE MOTION CARRIED  
UNANIMOUSLY BY A VOTE OF 5 (FIVE) TO 0 (ZERO).**

Mr. Bethel advised the meeting that the Human Services Commission is meeting on Thursday, September 22nd at 5:00 p.m. at Via Linda. There is one agenda item relative to preparing for the funding cycle so the Housing Board representatives are more than welcome to attend. Mr. Bethel will send meeting packets to the Housing Board representatives.

Board Member Leonard asked whether other members of the Housing Board could attend Commission meetings as members of the public. Chairman Edwards said that there could be no discussions as a quorum, but Board Members could attend the meetings.

8. **CHAIRPERSON'S REPORT**

Chairman Edwards shared copies of an article that appeared in last week's paper, noting that it related to a conversation he, Ms. Edwards and Ms. Register had with the Mayor and several Council members about affordable housing. The Mayor has suggested that she is turning the topic of workforce housing over to the Housing Board. The Board needs to take this up energetically. This topic may show up on the Council agenda and it is up to the Board to make that happen. The Mayor has now given the Board permission to pursue this topic. He asked the Board members to think about this as a topic for the strategic planning session.

9. **STAFF REPORT**

Ms. Edwards advised the Board that City Council will be selecting interviewees for the Housing Board vacancies. The minutes from the previous Council meeting are available online and contain the names of applicants. Interviews will occur on Tuesday, September 20th, and Board members are welcome to attend. Council will make their selection following the interviews and the new Board members will be at the Board's October meeting.

10. **OPEN CALL TO THE PUBLIC**

No members of the public wished to address the Board.

11. **ADJOURNMENT**

With no further business to discuss, the meeting adjourned at 6:55 p.m.

Respectfully submitted,  
A-V Tronics, Inc.